

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

RAEVON T. PARKER,)	
)	
Petitioner,)	
v.)	No. 4:24-cv-01456-SEP
)	
STATE OF MISSOURI,)	
)	
Respondent.)	

MEMORANDUM AND ORDER

On October 30, 2024, Petitioner Raevon Parker filed a handwritten document titled “The Original Writ of Habeas Corpus.” Doc. [1]. In his Petition, Petitioner states that he is seeking dismissal of his pending state court criminal case, *State v. Raevon Terrell Parker*, No. 2322-CR02340-01 (22nd Jud. Cir.). *Id.* at 6. He also seeks return of his confiscated firearm and monetary damages of \$50,000, which he estimates is his yearly salary. *Id.* But Petitioner has not included any claims within the body of his Petition, leaving it unclear whether he intends to pursue his action under 42 U.S.C. § 1983 or under 28 U.S.C. § 2241. *See Dickerson v. Louisiana*, 816 F.2d 220, 224 (5th Cir. 1987) (pre-trial habeas petitions are properly brought under § 2241). Either way, the Petition is deficient because it was not submitted on a Court-approved form. *See* E.D. Mo. L.R. 2.06(A) (“All actions brought by self-represented plaintiffs or petitioners should be filed on Court-provided forms[.]”). Also, Petitioner has neither paid the required filing fee nor sought leave to proceed without doing so. Thus, the Court will give Petitioner an opportunity to file an amended pleading on the appropriate form.

If Petitioner intends to pursue his claims under § 1983, he shall pay the \$405 filing fee or submit a fully completed Application to Proceed in District Court without Prepaying Fees or Costs, along with a certified copy of his St. Louis City Justice Center “trust fund account statement (or institutional equivalent)” for the six months immediately preceding the filing of his Petition. *See* 28 U.S.C. § 1915(a)(2). If he intends to pursue his claims under § 2241, he shall pay the \$5 filing fee or submit a fully completed Motion to Proceed *in Forma Pauperis* (Habeas Cases). Failure to comply with this Order will result in the dismissal of this action without prejudice and without further notice to Petitioner.

Accordingly,

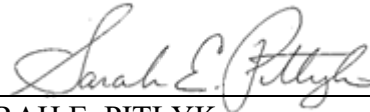
IT IS HEREBY ORDERED that the Clerk of Court shall mail to Petitioner copies of the following forms: Prisoner Civil Rights Complaint under 42 U.S.C. § 1983, Application to Proceed in District Court without Prepaying Fees or Costs, Petition for a Writ of Habeas Corpus under 28 U.S.C. § 2241, and Motion to Proceed in Forma Pauperis and Affidavit in Support – Habeas Cases.

IT IS FURTHER ORDERED that, within **twenty-one (21) days** of the date of this Order, Petitioner shall file an amended pleading on the appropriate form.

IT IS FINALLY ORDERED that, within **twenty-one (21) days** of the date of this Order, Petitioner shall either pay the applicable filing fee or file an appropriate request to proceed without prepaying the fee, in accordance with the instructions herein.

Petitioner's failure to timely comply with this Order shall result in the dismissal of this action, without prejudice and without further notice.

Dated this 9th day of April, 2025.

A handwritten signature in cursive script, reading "Sarah E. Pitlyk", is written over a horizontal line.

SARAH E. PITLYK
UNITED STATES DISTRICT JUDGE